

REMARKS/ARGUMENTS

Favorable reconsideration of this application for the reasons noted hereinafter is respectfully requested.

Claims 1-28 are pending in this case.

In the outstanding Office Action, Claims 1-28 were rejected under 35 U.S.C. § 102(e) as anticipated by Kragt et al. (U.S. Patent Publication No. 2007/0100755; hereinafter “Kragt”).

Applicants acknowledge with appreciation the courtesy of Examiner Chen in granting an interview in this case with Applicants’ representative on April 28, 2010, during which time the issues in the outstanding Office Action were discussed as substantially summarized hereinafter and also on the Interview Summary Sheet. During the interview, the Applicants’ representative explained the Applicants’ invention and explained the arguments contained in the previously filed response. Applicants also noted how the current claims distinguish over the Kragt reference. Examiner Chen indicated that Claim 4 appears to be allowable if rewritten in independent form.

In response to the rejection of Claims 1-28 under 35 U.S.C. §102(e) as anticipated by Kragt, Applicants respectfully request reconsideration of the rejection and traverse the rejection as discussed next.

Independent Claim 1 is directed to a content reproduction apparatus including, *inter alia*:

...a storage section used for storing ***a source-ID list showing a source ID of every content allowed to be reproduced, a recorder ID number, and method identification information each used for identifying a method of controlling reproduction of each content;***

a reproduction control method determination section for ***determining a method of controlling reproduction of a content on the basis of said method identification information;***

a first reproducibility determination section, which is used for producing a result of determination as to whether or not the content to be reproduced is reproducible by determining whether or not *a source ID added to said content is a source ID included in said source-ID list* in a case that said reproduction control method determination section determines that said method to control reproduction of the content is *a first reproduction control method*;

a second reproducibility determination section, which is used for producing a result of determination as to whether or not the content to be reproduced is reproducible on the basis of usage rule information described in a license issued to said content in a case that said reproduction control method determination section determines that said method to control reproduction of the content is a second reproduction control method; and

a reproduction execution section for reproducing the content with its source ID determined by said determination result produced by said first reproducibility determination section or said second reproducibility determination section to be the reproducible content.

Independent Claims 16 and 28 recite substantially similar features as independent Claim 1. Thus, the arguments presented below with respect to independent Claim 1 are also applicable to independent Claims 16 and 28.

By way of background, a non-limiting embodiment of Applicants' content reproduction apparatus is capable of implementing control of reproduction of contents in conformity with two different copyright methods. Thus, it is possible not only to raise the degree of convenience provided to the user, but also to increase the efficiency of development work and hence reduce the cost since the work to develop and design a content reproduction apparatus of a different model are no longer required. In addition, the content reproduction apparatus is not only compatible with the check-in/check-out method, but also compatible with a copyright management scheme for controlling reproduction of contents on the basis of a source ID assigned to every content and a source ID list. Thus, the content

reproduction apparatus is able to work with a more user friendly copyright management scheme offering a higher degree of freedom to utilize copyrighted contents.¹

As discussed during the interview, Kragt is directed to a content access system which displays a set of display items that represent content items including items protected by a number of different digital rights management systems. The icons indicate whether a respective content item is protected by a digital rights management system and, if so, which digital rights management system is employed to protect the respective content item.² However, Applicants respectfully submit that Kragt fails to teach or suggest “a storage section used for storing a ***source-ID list showing a source ID of every content allowed to be reproduced, a recorder ID number,*** and method identification information each used for identifying a method of controlling reproduction of each content,” as recited in Applicants’ independent Claim 1.

Paragraph [0019] of Kragt states:

While viewing or browsing set 201 of content items accessible to the user (i.e., located within the “authorized domain,” the set of storage devices or systems that the user may permissibly access), the user of content access system 100 may want a clear indication of attributes of the content items, such as content type, size, generation date/time, and content protection system, if any. With respect to content items protected by digital rights management systems, the user may wish to know: if the content item is protected by a digital rights management system; which digital rights management system is employed for the content item, if protected; if a digital rights management module enabling access to the content item is available to the user for execution from anywhere within the authorized domain; if the specific digital rights management module is not available to the user, how to obtain that digital rights management module; whether the user is entitled to access the content item; and, if the user is not entitled to access the content item, how to obtain rights to access the content item.

¹ See page 15, line 20 to page 16, line 16 of the specification.

² See Kragt at paragraph [0005].

Page 2 of the outstanding Office Action appears to assert that a tabular listing 201 shown in Figure 2 which includes a set of content items 201a-201c corresponds to Applicants' claimed source-ID list showing a source of every content allowed to be reproduced and method identification information used for identifying a method of controlling reproduction of each content. However, the tabular listing 201 of Kragt does not show *a source-ID list showing a source ID of every content* allowed to be reproduced and a *recorder ID number*. In Kragt, *icon* 204 identifies a particular digital rights management system employed to protect respective content items. However, icon 204 does not show a *source ID* or a *recorder ID number*. Identifying a particular digital rights management system that protects contents is not the same as a recorder identification number. In addition, paragraph [0019] of Kragt merely describes that users may wish to know if a content item is protected by a digital rights management system, and which digital rights management system is employed for the content item, but does not describe that *a source ID list shows a source ID of every content item allowed to be reproduced and a recorder identification number*.

Further, Applicants respectfully submit that Kragt fails to teach or suggest "a first reproducibility determination section, which is used for *producing a result of determination as to whether or not the content to be reproduced is reproducible by determining whether or not a source ID added to said content is a source ID included in said source-ID list* in a case that said reproduction control method determination section determines that said method to control reproduction of the content is a *first reproduction control method*," as recited in Applicants' Claim 1. Page 3 of the outstanding Office Action asserts that paragraph [0022] of Kragt describes the above quoted features of Applicants' Claim 1. Applicants respectfully disagree.

Paragraph [0022] of Kragt states:

Icons 204 associated with each protected content item 201a-201b identify the particular digital rights management system employed to protect the respective content item. In the example shown, two different digital rights management systems are identified, one in association with content item 201a and a different one in association with content item 201b. Graphical attributes of icons 204 may be employed to indicate whether the digital rights management module necessary to access the protected content item 201a-201b is available to the user. Thus, the "X" portion of the icon 204 associated with item 201b indicates that the digital rights management module necessary to access content item 201b is not available to the user. Availability of the appropriate digital rights management module may be conveyed by a particular icon, while non-availability is indicated by the same icon with a superimposed negation image such as a red "X" or circle with a diagonal slash.

Thus, paragraph [0022] of Kragt merely describes that the icons 204 associated with each protected content item identifies particular digital rights management systems employed to protect the respective content items. Kragt does not describe that a determination result is produced that determines whether a content to be reproduced is reproducible by determining whether ***a source ID added to the content is a source ID included in the source-ID list.*** Kragt does not describe that a determination is made whether or not a source ID is contained in the tabular listing 201.

Lastly, Applicants also respectfully submit that Kragt fails to teach or suggest "a reproduction control method determination section for determining a method of controlling reproduction of a content on the basis of said method identification information," as recited in Applicants' Claim 1. Page 3 of the outstanding Office Action asserts that paragraph [0019], lines 12-19 of Kragt describes the above recited features of Applicants' Claim 1. Applicants respectfully disagree.

Paragraph [0019], lines 12-19 of Kragt merely describes that an icon can be displayed which shows what particular digital rights management system was used to protect the content item. Kragt does not describe a reproduction control method determination section

which determines a *method of controlling reproduction* of a content on the basis of method identification information. In other words, Kragt does not control reproduction of the content item based on the icon 204, the icon 204 merely *indicates* which digital rights management system protects the content.

Thus, Applicants respectfully submit that independent Claims 1, 16, and 28 (and all claims depending thereon) patentably distinguish over the cited reference.

In regard to Claim 4, Claim 4 is dependent on Claim 1 and is believed to be patentable for at least the reasons discussed above. Further, Applicants respectfully submit that Claim 4 is further patentable because, as acknowledged by the Examiner during the interview, Kragt fails to teach or suggest that “said source ID includes said recorder ID number, that is generated as an ID unique to each content-processing apparatus having a ripping section for ripping out a content from a recording medium.” Page 4 of the outstanding Office Action cited paragraphs [0017] and [0028] for the above features, but these portions of Kragt merely describe a digital rights management system module 112, but do not describe that the digital rights management system module 112 generates a recorder ID number that is unique to each content-processing apparatus having a ripping section for ripping out a content from a recording medium.

Thus, Applicants respectfully submit that Claims 4 and 5 are patentable.

Accordingly, Applicants respectfully request that the rejection of Claims 1-28 under 35 U.S.C. §102(a) as anticipated by Kragt be withdrawn.

Consequently, in view of the above comments, it is respectfully submitted that the outstanding ground for rejection has been overcome and that Claims 1-28 patentably define over the prior art. Claims 1-28 are therefore believed to be in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Derek P. Benke
Registration No. 56,944